

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 19-23, 26-30 and 37-66 are pending in the application, with claims 19-23, 26, 37, 47 and 60 being the independent claims. Claims 1-18, 24, 25 and 31-36 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claims 37-66 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowed Claims

In the office action, the Examiner allowed claims 26-30 and indicated that claims 19-23 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In compliance with this requirement, Applicants have amended each of claims 19-23 to include all of the limitations of original claims 12 and 18 from which they depended. Applicants believe that claims 19-23 are now in condition for allowance. Reconsideration and withdrawal of this objection is respectfully requested.

Personal Interview with Examiner

A personal interview was held on Tuesday, December 14, 2004, between Examiner Wayne P. Amsbury and Applicants' representatives Michael Ray (Registration

No. 33,997) and Brian Lee. Applicants would like to thank the Examiner for the courtesy of granting this interview. During the interview, Applicants' representatives and the Examiner discussed proposed draft claims 37-59 and the Turtle patent (U.S. Patent 5,488,725). No agreements were reached.

Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 31-34 under 35 U.S.C. 101. (See Office Action, page 2). Claims 31-34 are sought to be cancelled, rendering this rejection moot.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1 and 2 under 35 U.S.C. 112, second paragraph, as being indefinite. (See Office Action, page 2). Claims 1 and 2 are sought to be cancelled, rendering this rejection moot.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-5, 7-14, 16-17, 24-25 and 31-34 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,488,725 to Turtle *et al.* (herein referred to as "Turtle"). (See Office Action, page 3). Claims 1-5, 7-14, 16-17, 24-25 and 31-34 are sought to be cancelled, rendering this rejection moot.

New claims 37-66 are sought to be added, with claims 37, 47 and 60 being the independent claims. To the extent that the Examiner would apply to these new claims a rejection based on Turtle, Applicants provide the following remarks.

Turtle does not teach or suggest each and every feature of recited in the new claims. Turtle is directed towards accepting a query string, creating a single Bayesian

network from the query string, and applying the Bayesian network to a large collection of documents to identify documents that satisfy the query string. (See Turtle, Col 8, lines 58-67, Col 9, lines 1-31,). Furthermore, Turtle is directed towards sampling the collection so that the Bayesian network does not have to be applied to every document in the collection. (See Turtle, Summary).

New claim 37 recites the steps of a method for automatically assigning a key concept to represent unstructured data without requiring any user input of a search or query string. The steps of selecting, expanding, scoring and applying recited in claim 37 permit the method of the invention to extract a key concept without requiring such user input. Independent claims 37, 47 and 60 recite similar steps/functions. Such steps/functions are neither taught nor suggested by Turtle. As a result, these new independent claims and their dependent claims are patentable over Turtle.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 6, 15, 18 and 35-36 under 35 U.S.C. 103(a) as being unpatentable over Turtle. (See Office Action, page 6). Claims 6, 15, 18 and 35-36 are sought to be cancelled, rendering this rejection moot.

With regard to the new claims 37-66, Turtle does not teach or suggest each and every feature of Applicants' invention as recited in the new claims at least for the reasons stated above. As such, the invention as defined in new claims 37-66 would not have been obvious to a person having ordinary skill in the art in view of Turtle.

Examiner Statements from the Interview

During the interview, the Examiner suggested that clustering is a concept similar to the claimed invention. The invention is concerned with determining what a document (or other unstructured object) *is about*. The *combination of steps* outlined in the claims describe, for example, how the claimed invention determines what concepts represent a document. If the Examiner believes that clustering is relevant to the newly submitted claims, Applicants respectfully request that the Examiner cite a prior art reference that Applicants can review and consider. Absent such prior art, Applicants believe that the new claims are patentable and are in condition for allowance.

Other Matters

Applicants note that the Examiner did not provide an indication of his consideration of the documents that were submitted in an IDS on September 16, 2002. Applicants respectfully request that the Examiner provide an indication of his consideration of these documents, by appropriately initialing the corresponding Forms 1449, and providing a copy of the initialed Forms 1449 to Applicants.

Conclusion

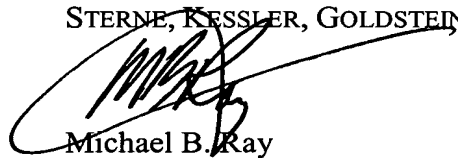
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "MBR", is written over the printed name of Michael B. Ray.

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